

JANET TUNG
California State Bar No.231682
FEDERAL DEFENDERS OF SAN DIEGO, INC.
225 Broadway, Suite 900
San Diego, California 92101-5008
Telephone: (619) 234-8467
Email: Janet_Tung@fd.org

Attorneys for Petitioner VITALIY KAGANOVICH

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JOHN A. HOUSTON)

VITALIY KAGANOVICH,) CASE NO. 07-CV-02403-JAH (AJB)
Petitioner,)
v.)
MICHAEL CHERTOFF, et al.,) **PETITIONER'S NOTICE OF
VOLUNTARY DISMISSAL OF
ACTION**
Respondents.) [Fed. R. Civ. P. 41(a)(1)]
)

Pursuant to Fed. R. Civ. P. 41(a)(1), petitioner Vitaliy Kaganovich, by and through counsel, Janet Tung and Federal Defenders of San Diego, Inc., gives notice that he hereby dismisses the above-captioned action without prejudice. Petitioner was removed sometime in or about March 2008. His petition for a writ of habeas corpus is now moot.

Respectfully submitted,

DATED: May 9, 2008

/s/ Janet Tung
JANET TUNG
Federal Defenders of San Diego, Inc.
Attorneys for Petitioner VITALIY KAGANOVICH
janet_tung@fd.org

1 **CERTIFICATE OF SERVICE**

2 Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best
3 information and belief, and that a copy of the foregoing document has been caused to be delivered this day
4 upon:

5 Courtesy Copy Chambers

6 Copy Assistant U.S. Attorney via ECF NEF

7 Copy Defendant

8 Dated: May 9, 2008

9 _____
10 /s/ **JANET C. TUNG**
11 Federal Defenders of San Diego, Inc.
12 225 Broadway, Suite 900
13 San Diego, CA 92101-5030
14 (619) 234-8467 (tel)
15 (619) 687-2666 (fax)
16 Janet_Tung@fd.org (email)